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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDRED AND FORTY-NINTH MEETING

Held at Headquarters, New York,
on Wednesday, 24 October 1990, at 4 p.m.

President:	Sir David HANNAY	(United Kingdom of Great Britain and Northern Ireland)
Members:	Canada	Mr. FORTIER
	China	Mr. LI Daoyu
	Colombia	Mr. PEÑALOSA
	Côte d'Ivoire	Mr. ANET
	Cuba	Mr. ALARCON de QUESADA
	Ethiopia	Mr. TADESSE
	Finland	Ms. RASI
	France	Mr. BLANC
	Malaysia	Mr. RAZALI
	Romania	Mr. MUNTEANU
	Union of Soviet Socialist Republics	Mr. VORONTSOV
	United States of America	Mr. PICKERING
	Yemen	Mr. AL-ASHTAL
	Zaire	Mr. BAGBENI ADEITO NZENGEYA

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The meeting was called to order at 5.50 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

LETTER DATED 26 SEPTEMBER 1990 FROM THE PERMANENT REPRESENTATIVE OF YEMEN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21830)

The PRESIDENT: In accordance with the decisions taken at the previous meetings on this item, I invite the representatives of Algeria, Bangladesh, Egypt, India, the Islamic Republic of Iran, Iraq, Israel, Jordan, Kuwait, the Libyan Arab Jamahiriya, Mauritania, Morocco, Pakistan, Qatar, Saudi Arabia, the Syrian Arab Republic, Tunisia, Turkey, the United Arab Emirates and Yugoslavia to take the places reserved for them at the side of the Council Chamber. I invite the representative of Palestine to take a place at the Council table.

At the invitation of the President, Mr. Bendjama (Algeria), Mr. Mohiuddin (Bangladesh), Mr. Moussa (Egypt), Mr. Menon (India), Mr. Kharrazi (Islamic Republic of Iran), Mr. Kadrat (Iraq), Mr. Bein (Israel), Mr. Salah (Jordan), Mr. Al-Sabah (Kuwait), Mr. Treiki (Libyan Arab Jamahiriya), Mr. Ould Mohamed Mahmoud (Mauritania), Mr. Hasbi (Morocco), Mr. Umer (Pakistan), Mr. Al-Ni'mah (Qatar), Mr. Shihabi (Saudi Arabia), Mr. El-Fattal (Syrian Arab Republic), Mr. Ghezal (Tunisia), Mr. Aksin (Turkey), Mr. Al-Shaali (United Arab Emirates) and Mr. Silovic (Yugoslavia) took the places reserved for them at the side of the Council Chamber; Mr. Al-Kidwa (Palestine) took a place at the Council table.

The PRESIDENT: I should like to inform the Council that I have received a letter from the representative of Sudan in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in

(The President)

accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Ali (Sudan) took the place reserved for him at the side of the Council Chamber.

The PRESIDENT: The Security Council will now resume its consideration of the item on its agenda, in accordance with the understanding reached in the Council's prior consultations.

Members of the Council have before them document S/21893, which contains the text of a draft resolution submitted by Colombia, Cuba, Malaysia and Yemen. In this connection, members of the Council also have before them document S/21896, which contains the text of a letter dated 23 October 1990 from the Permanent Representatives of Colombia, Cuba, Malaysia and Yemen to the United Nations addressed to the President of the Security Council.

(The President)

I should like to draw the attention of members to the following documents: S/21873, letter dated 12 October 1990 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General; S/21876, letter dated 12 October 1990 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General; S/21877, letter dated 12 October 1990 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General; S/21881, letter dated 9 October 1990 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General; S/21886, letter dated 18 October 1990 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General; S/21888, letter dated 19 October 1990 from the Chargé d'affaires ad interim of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General; S/21890, note verbale dated 19 October 1990 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General; and S/21897, letter dated 23 October 1990 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General.

The first speaker is the representative of Israel. I invite him to take a place at the Council table and to make his statement.

Mr. BEIN (Israel): After more than two months of concerted action by the international community, spearheaded by the Security Council since the fateful night of 2 August, something strange has happened. The momentum has been dislodged. The monumental effort to arrest the rampage unleashed by Saddam Hussein has come to a screeching halt. Four weeks into October, an eerie silence has pervaded the corridors of the Security Council on all that pertains to Iraq's aggression. For the moment at least it appears that Saddam Hussein has been let off the hook.

(Mr. Bein, Israel)

Suffice it to say that the Council last convened to consider the situation in the Gulf on Tuesday 25 September, almost a month ago. Meanwhile, the mutilation of Kuwait continues in full force, totally unchecked by this forum. There are reasons for the shifting winds in the Security Council. The PLO has served Saddam Hussein well by stealing the show.

The tragic events that took place in Jerusalem on 8 October were well staged, and played right into Saddam Hussein's hands. He fervently hoped to escape the noose of an enraged international community by sowing disarray in the coalition mustered against him. The predator needed this precious reprieve in order to complete the systematic dismantlement of his prey, Kuwait, a Member State of the United Nations. As I said in my statement on 5 October, there was no better way to send this international coalition into a tailspin than by shoving Israel to the fore, throwing a monkey-wrench into the workings of the solid front opposing Iraq and halting it in its tracks.

Supporters of Saddam Hussein's slaughterous régime have been few, but quite vociferous. Headed by the PLO, they are united in trying to drag my country into the Gulf mayhem by every means at their disposal. Saddam Hussein began efforts to embroil Israel in his mess even before the invasion of Kuwait. He annointed himself as a hero for millions of Arabs by threatening to devour half of Israel and gas its population. This savage threat, incidentally, did not originate with Saddam Hussein. The idea was given to him by Yasser Arafat, who taunted Israel with Iraq's missiles long before 1 April 1990.

Saddam Hussein later accused Kuwait of working for Israel in a "Zionist conspiracy" to sabotage his economy. Following his invasion of Kuwait, he decided that disguised Israeli pilots and Israeli aircraft were facing him in the Gulf. He then dabbled in anti-Semitism with the help of radio stations such as the Sanaa

(Mr. Bein, Israel)

Voice of the PLO in yelling that "Zionist rabbis" were among the troops assembled against him.

Then he blamed Israel for his invasion of Kuwait, Israel being the cause of the Gulf crisis and every other evil in the world. He followed that by threatening to beat Israel into pulp if the sanctions imposed on him by the Security Council began to bite. Now he capitalizes on the violence in Jerusalem and threatens to launch new missiles against Israel on the forthcoming day of reckoning, as he called it. On 22 October, two days ago, Saddam Hussein decided that the eight-year war unleashed against Iran was somehow a "Zionist plot".

This cynical manoeuvring and flagrant contempt for the basic rules of international conduct is Saddam Hussein's sharpest propaganda weapon. With it he hopes to appeal to the baser emotions of the Arab street, whipped up into ecstasy over the self-proclaimed new Saladin - who, ironically, happened to be a Kurd.

For over two months Israel did everything in its power to remain aloof and avoid provoking Saddam Hussein. We maintained our distance, while preparing for the worst. Israel continues to take grave risks in the interests of the international community by maintaining a low profile in the face of increasingly belligerent Iraqi threats. Israel has begun distributing gas-masks to its populace, a measure never resorted to by any nation, and remains silently vigilant.

The violence on the Temple Mount was the last thing Israel could possibly want. The only parties that stood to gain from the tragic events in Jersualem were the Iraqi dictator and his retinue of PLO cheerleaders. This was confirmed by Saddam Hussein himself in his gloating reaction to the Temple Mount incident:

> "we only need, God willing, to throw sand in their eyes, blinding them. For an elephant to leave the forest as a small creature or a rejected animal, it only needs some sand to enter its nose."

(Mr. Bein, Israel)

That was a quote from Baghdad's domestic service of 9 October 1990. The PLO set the trap and many fell into it.

But the story begins earlier than that. Interestingly, the Security Council was convened three days before the Temple Mount tragedy. After a week of haranguing susceptible members of the Security Council in late September, the PLO managed finally to have the Council convene on Friday 5 October.

The pretext was so flimsy, however, that Mr. Kaddoumi, with all his verbosity, really had nothing to say other than to deny the Holocaust. His only reference to the issue at hand was this: Israel, he said, had perpetrated a massacre "in the Bureij refugee camp in the Gaza district" (S/PV.2945, p. 13-15); no more and no less. Well, there was no "massacre" in el-Bureij, just as there was no worsening situation in the territories to speak of, and therefore no justifiable reason to convene the Council in the first place.

Mr. Kaddoumi, of course, characteristically neglected to remember or mention the uncomfortable circumstances, from his point of view, that did occur in el-Bureij. He neglected to mention that an Israeli civilian was lynched by a mob which torched his car and watched him slowly burn alive.

(Mr. Bein, Israel)

We, of course, anticipated this omission and prepared our statement accordingly - after all, we have been to this movie many times before - and we pointed out to the members of the Council what really took place in the Bureij camp. The PLO had difficulty with that.

In their befuddled right of reply the PLO delegation demonstrated that, lo and behold, they did know about the lynching of the Israeli they so innocently neglected to mention in their statement. In fact, they suddenly remembered every detail about it; they gave a complete rendition of the events which led up to the chilling murder, and topped it off by blaming Israel for planning the lynching. Then they said: this is why we convened the Council, to stop this kind of criminal act. Lovely. What else should Israel be blamed for? Well, we have been to this movie also and to its rerun during the debate on the tragedy at the Temple Mount on Monday. It happens to be the oldest trick in the book: blame the victim.

The mismanaged charade on 5 October was quite costly. It almost seemed as if the PLO bid to manufacture the big diversion of the Security Council, to wrench it away from the focus on Iraq, was about to backfire. But the stakes were high. The PLO needed this diversion very badly, as it needed to entrench the wonderful idea of "linkage" - that Iraq's blitzkrieg into the Arab State of Kuwait was somehow Israel's fault.

The PLO had its own reasons for being so frantic. Hard times befell the organization; its ongoing campaign of violence against Israel, instead of exploding, was imploding, turning against itself. Its activists began gunning down each other and hundreds of other Palestinians, whether in Judea, Samaria and the Gaza district or in the streets of Lebanon. The so-called intifadah was grinding to a halt. Arab States began sponsoring and funding the other "sole legitimate representatives" competing with the PLO. The dwindling fortunes of the PLO

(Mr. Bein, Israel)

plummeted even further as a result of its whole-hearted support for Saddam Hussein's threats to gas Israel's population, its backing of terrorist attacks against Israel and other Arab countries, and its role in Iraq's rape of Kuwait.

Never before has the PLO been more isolated. Its exuberance in embracing the brutal invasion of Kuwait was shocking. Many of the Arab States entrenched their hostility towards this fickle terrorist organization and angrily turned their backs on its leaders. Arab opinion-makers chastised the PLO as nothing more than a group of back-stabbers, a fifth column which betrayed the people of Kuwait and everyone else. Both Arafat and Saddam were in big trouble. Something had to be done. It was time to play the "blame Israel" game, and this time successfully.

Then came the terrible incident on the Temple Mount. What a strange coincidence; what an opportunity for the PLO and Hussein to escape the brink of the abyss they had backed themselves into, and just in the nick of time.

They managed to touch off a storm of violence on the Temple Mount, for all the world to see, for all their adversaries to be baffled by. They knew perfectly well that this was the last thing Israel needed, and the last thing anyone hoping to dislodge Iraq's aggression could possibly hope for. They also knew perfectly well that no matter how blatant the provocation, no matter how violent the attack on Jews and no matter where or when, even at the holiest site of Judaism, they would get away with it. They knew perfectly well that this was a risk-free investment, that no one would ever mention the provocation and that Israel alone would be blamed.

After all, there is a pattern here. When an Israeli is lynched alive, you do not mention it. And if Israel mentions it, you blame Israel for planning the

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(Mr. Bein, Israel)

lynching. Either way, Israel gets blamed, and the terrorist organization escapes scot-free. This is the way the game has always been played and this is the way the debate on the Temple Mount tragedy was conducted.

It was quite a remarkable sleight of hand deceptively to transform a 3,000-strong Palestinian mob intent on attacking Jewish worshippers into "innocent worshippers" themselves. And it was an even more remarkable feat to be able to blame Israel for having planned the whole incident, even though it directly negated Israel's interests. But then again, this is the oldest trick in the book and it is nothing short of outrageous.

As a result of this debate the PLO now feels vindicated. They got away with the lynching in el-Bureij and blamed Israel for it. They got away with the provocation at the Western Wall and blamed Israel for it. As far as the PLO is concerned, crime pays.

Accordingly, efforts to ignite more violence have now heightened dramatically. New instructions have been issued ordering the Palestinian population to escalate the level of violence. The population is being incited through leaflets to "treat every Jew ... as a target to be killed, whose blood and money are for the taking"; 20, 21 and 22 October were the days especially designated for killing Jews. Arafat's Fatah organization has instructed its activists to resort to firearms and is goading the population to slash Israelis with knives. The direct result is the current stabbing rampage throughout Israel and especially in Jerusalem. On 21 October in Jerusalem's Baka neighbourhood an Arab wielding a 15-inch bayonet slashed 4 Jews, including a thirteen-year-old boy. Three of them were stabbed to death. The policeman who encountered the Arab lost his life only because he spared the assailant and shot him in the legs. He did not shoot to kill and was killed himself. Yasser Arafat's élite terrorist arm, Force 17, rushed to claim credit for the attack.

(Mr. Bein, Israel)

The Voice of the PLO, broadcasting from Baghdad, praised and celebrated the attacker in these words:

"One of the heroes of the revolution committed a courageous and heroic act, when he stabbed with a sharp object four Zionists in Jerusalem killing three and severely wounding the fourth."

Since then, in a span of three days, six additional terrorist attacks against Jews have taken place, with knives, bayonets, an axe and a sledgehammer, injuring seven more people.

The PLO is murdering Jews with impunity, right now. And somehow they will find a way to blame Israel for these killings as well. The fact that the Security Council still finds it appropriate to condemn Israel tonight will serve as further proof to the PLO that crime does pay.

(Mr. Bein, Israel)

On Friday 5 October, three days prior to the attack on the Western Wall, I warned the Council that the calm prevailing in Judea, Samaria and the Gaza district was not in the interest of the PLO. I emphasized that the PLO was working frantically to breathe new life into the moribund unrest, to ignite passions and instigate violence, that it prayed for bloodshed and wanted the situation to deteriorate.

That was on Friday. The violence on the Temple Mount was touched off on Monday. After the attack the Palestinian leadership openly congratulated itself on its success, proclaiming that the Israeli police "played into their hands". One Arab Ambassador to the United Nations remarked that the Temple Mount incident was

> "an attempt on the part of Saddam Hussein and the PLO to divert attention from the Kuwaiti crisis ... We can see the instructions coming out from Saddam Hussein to the people there and received by his collaborators to escalate the violence."

That statement was broadcast by CNN on 9 October 1990.

Another Arab official, the commander of an armoured brigade stationed in the Gulf region, told reporters that the tragedy was an outgrowth of Yasser Arafat's efforts to open a second front against the commander's country and the PLO's "rush to be the first to demonstrate their support of Saddam Hussein".

Resolution 672 (1990) was adopted notwithstanding all this. The diversion that was achieved and the tendentious content and tone of that resolution were quite obvious.

The rush to judgement before all the facts were known was bad enough. Ignoring the provocation, the massive attack on Jewish worshippers at the Western Wall, and indeed completely disregarding any mention of it in the resolution, was even worse. Choosing to condemn not the perpetrators of the violence but rather the reaction to it was scandalous. Pressuring the Council to send a mission to

(Mr. Bein, Israel)

ascertain the facts - but only after the arbitrary verdict had already been handed down - can hardly be characterized as a model of fairness. Israel regrets both the content and the tone of resolution 672 (1990).

We were shocked and saddened by the violence at the Western Wall and other Holy Places, the assault on Jewish worshippers and the gross abuse of their freedom of worship; we deeply regret the casualties and the loss of life.

Israel has appointed an independent commission of inquiry consisting of three prominent public figures. The commission is investigating the incident and will shortly present its findings and conclusions on the chain of events, their causes and the actions of Israel's security forces. The commission has been working day and night for over a week now investigating and hearing witnesses from all sides, both Arabs and Jews.

The Security Council requested the Secretary-General to submit a report to it before the end of October. Israel has expressed its readiness to assist the Secretary-General in the preparation of his report. Yet, let us remember that Israel, like any other sovereign State, is the exclusive authority in the territory under its control. Even by the terms of reference of resolution 672 (1990), which refer to the Fourth Geneva Convention, Israel is the exclusive authority in the territory under its control. This is definitely the case in Israel's capital, Jerusalem.

The long haggling over how to condemn Israel was a political exercise bearing no relation to the merits of the case. This was all the more apparent in the glaring contrast between the month-long obsession with Israel and the total inaction of the Security Council and the callous indifference in the face of the massive atrocities taking place in the latest butchery in Lebanon.

(Mr. Bein, Israel)

It took the Syrians only six hours to complete the most atrocious single battle of the 15-year war in Lebanon. Up to 1,000 people, if not more, were slaughtered in the battle and its aftermath, and more than 1,500 were wounded. Seven hundred Lebanese Christians, innocent civilians and military captives alike, were executed by the Syrians and their proxies. Survivors were rounded up by Syrian troops and shot in the head, the eyes or mouth at close range, many after being bound hand and foot; others were mutilated beyond recognition; some were beheaded. Syrian troops broke into monasteries and raped nuns in front of their colleagues. Their proxies raided hundreds of homes in the Christian enclave, butchering civilians in the presence of their families. On 21 October unidentified gunmen broke into the house of Christian leader Dani Chamoun before dawn and shot him to death along with his wife and two of his children. According to the family's governness:

"The little one, Julian, ran into his room and hid under the bed, but one of the men followed him and shot him in the mouth and head."

Where were the members of the Security Council in all of this? Where was the outcry? Where were the demands for fact-finding missions? What about the need to investigate the executions and atrocities, the magnitude of which, thanks to Syrian-style democracy, will probably never be known? While the bloodbath began more than a week ago and continues as we speak, the forces hostile to Israel, between sightseeing trips to New England, still dicker with members of the Security Council over how best to continue condemning Israel. In the light of this glaring hypocrisy, how can anyone in his right mind expect Israel to participate happily in its own victimization?

Since the term "linkage" has been used freely in pro-Iraqi circles, let us subject this presumption to serious analysis. The attempts to manufacture a

(Mr. Bein, Israel)

linkage between Iraq's brutal obliteration of its tiny neighbour and Israel's position in Judea, Samaria and the Gaza district have reached a crescendo during this debate. Cynically contrived by Saddam Hussein, this purported linkage is being resisted by the majority of the international community. The PLO convened this session, among other reasons, in order further to entrench this concept.

The assertion is that Iraq's aggression against Kuwait is somehow comparable to the Arab-Israeli war of June 1967 and that Iraq should be pitied for being punished by the international community, since for 23 years, they now assert, Israel's purported aggression failed to draw the same international response. Justice and legality are indivisible, so the argument goes, and Iraq, therefore, is under no obligation to comply with international law and the mandatory resolutions of the Security Council, since, for 23 years, nothing has been done about Israel's actions.

I wish to state the following for the record. By June 1967 the armies of several Arab States had completed the encirclement of the State of Israel. Hundreds of thousands of troops, thousands of tanks and hundreds of combat aircraft assembled on Israel's vulnerable borders in a ring of steel with the declared aim of crushing the Jewish State. Egypt, Syria and Jordan were in full mobilization. Troops from Iraq, Kuwait, Saudi Arabia and Algeria streamed towards the fronts. On the morning of 5 June 1967 war broke out in the Sinai peninsula. Later that morning Jordan opened fire on Jerusalem. Even after the shells crashed, Israel implored Jordan to stay out of the war.

(Mr. Bein, Israel)

King Hussein spurned this official message from Israel, delivered through a United Nations intermediary, and launched an all-out attack along the armistice lines with Israel. As Israel's then Foreign Minister, Mr. Abba Eban, told the General Assembly on 26 June 1967:

" ... Jordan opened intensive and destructive war upon Israel on 5 June, without Israel having fired a single shot against any Jordanian citizens, without Israel having touched an inch of Jordan territory.

"...

"Jordan ... had gambled with destiny and incurred the full responsibility of unprovoked war." (A/PV.1536, pp. 46, 47)

This chain of events was confirmed in substance by General Odd Bull, the Chief of Staff of the United Nations Truce Supervision Organization in Palestine (UNTSO) until 1970, and by King Hussein himself. The King acknowledged the receipt of Israel's message in an interview published in Der Spiegel on 4 September 1967.

Twenty-three years later history is being contorted. To argue today that Israel was the aggressor in 1967 is tantamount to asserting in the year 2013 that it was Kuwait which invaded Iraq.

While Iraq committed an unprovoked act of aggression by the use of force expressly prohibited under Article 2, paragraph 4, of the United Nations Charter, Israel resorted to the use of force in lawful exercise of its inherent right of self-defence recognized under Article 51 of the Charter. Moreover, in Iraq's case the facts are just the opposite. Iraq was never threatened by Kuwait; no act of armed aggression was launched against Iraq by Kuwait. Iraq executed its premeditated war of aggression for economic and territorial reasons.

While Iraq invaded the territory of a recognized sovereign State, Israel, as a result of the Six Day War, administers the territories of Judea, Samaria and the Gaza district that were under no defined rights of sovereignty, because the Arab

(Mr. Bein, Israel)

armies that illegally crossed the international boundaries on 14 May 1948 were in clear violation of general international law, and illegally occupied territory of the former British mandate over Palestine.

The use of force is permitted only in the exercise of the inherent right of self-defence. Iraq clearly did not act in self-defence. Rather, Iraq tried to gain political dividends through aggression. The basic principle of international law, ex injuria jus non oritur, applies in such a case: a right cannot flow from a wrong. In other words, Iraq, under international law, has no right to any political gains as a prize for its aggression. Israel, on the other hand, has the right to live in peace within secure and recognized boundaries.

For these reasons, there is no similarity and no linkage between Iraqi aggression in Kuwait and Israel's position in Judea, Samaria and the Gaza district.

As for the purported double standard, Security Council resolution 660 (1990) determined clearly and unequivocally that Iraq's invasion of Kuwait constitutes a breach of international peace and security. The resolution applies the relevant rules under Chapter VII of the Charter as a consequence.

On the other hand, resolution 242 (1967) employs no such terminology. Israel's use of force was not condemned by the international community. Rather resolution 242 (1967) affirms the right of every State in the area to "live in peace within secure and recognized boundaries".

Resolution 242 (1967) calls for the withdrawal from "territories", and not from "the territories", and couples its affirmation of the withdrawal principle with that of each State's right to secure boundaries. Nowhere in the resolution is there any reference to the status quo ante, since the armistice demarcation lines were neither "boundaries", nor "secure", nor "recognized" and had been breached by the Arab States. Resolution 660 (1990), on the other hand, demands that Iraq withdraw immediately and unconditionally from all the territory of Kuwait.

(Mr. Bein, Israel)

Resolution 242 (1967) affirms the principle of secure boundaries. Since the actual meaning of this is disputed by the parties, it must be settled in the context of negotiations. Arab States point to the statement of principles calling for withdrawal but are quick to ignore the other statement of principles which applies to them. It calls for the

> "Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force".

Resolution 242 (1967) set forth the guiding principles for all sides to follow, not for one side only. Israel is definitely under no obligation to do anything unilaterally prior to the completion of negotiations and the achievement of an agreed settlement which includes the termination of the state of belligerency maintained against it for over 42 years. Israel has accepted resolutions 242 (1967) and 338 (1973). Iraq has rejected with derision every Security Council resolution relating to it.

There is, consequently, no comparison whatsoever between the two situations. Unlike Iraq's, Israel's actions were fully justified in international law. Iraqi-PLO claims that a double standard exists are baseless. The implication that Iraq invaded and annexed Kuwait in order to solve the question of Palestine is utterly absurd.

The sponsors of this debate and the draft resolution before us have one overreaching purpose in mind. They are not interested in the peaceful resolution of the conflict. The mutual coexistence of Arabs and Jews, the Arab States and Israel, and Israelis and Palestinian Arabs, is a dream they refuse to share. Rather, their purpose is to browbeat Israel by exacerbating tensions. They still believe that violence is the only means to achieve victory.

(Mr. Bein, Israel)

Sadly, the current debate has fanned the flames of tension and enmity and certainly has not contributed to the ideal of peace, as evidenced by the brutal rampage in Jerusalem and throughout the country. It is my hope that these observations will be taken into account in the statements and voting decisions of members.

The PRESIDENT: The next speaker is the representative of Palestine, upon whom I now call.

Mr. AL-KIDWA (Palestine)(interpretation from Arabic): The Security Council deals today with a specific issue, namely, the Israeli Government's rejection of Security Council resolution 672 (1990) and its refusal to receive the mission of the Secretary-General, of which the members were officially informed by the Secretary-General last Friday.

Before tackling that issue, however, I should first like to make a few preliminary remarks concerning the chain of events in the Council that has led up to today's meeting.

As the plaintiff, the injured party, in this affair, we cannot help but note with sorrow the extremely slow pace of the Security Council in dealing with this issue, so slow that it stands out in blatant contrast to the alacrity and vitality with which the Council dealt with other issues.

Nor can we help noticing with a great deal of sorrow the ploys and machinations which have been resorted to with a view to preventing the Council from properly discharging its responsibilities. Those ploys and machinations which ran counter to logic, all norms and the Council's mandate, vitiate all the self-congratulatory assertions regarding the new role and spirit of the Council, unless, of course, such assertions do not apply when it comes to the causes of the peoples in the South which have nothing to do with the interests of the North.

Once again, I must say that we cannot but note with great sorrow the positions and statements of some of the eminent and highly responsible persons in the Security Council who have been advising the Israeli officials on how to receive the Secretary-General's mission while circumventing the Council's resolution 672 (1990). We note all this while we are at the same time perfectly aware that the overwhelming majority of the Council's members take quite a different position and express quite different attitudes.

(Mr. Al-Kidwa, Palestine)

Notwithstanding all that, however, we are well aware that in order for the Security Council to deal in earnest with the situation in the Middle East and the question of Palestine that overwhelming majority must be transformed into unanimity. We, for our part, stand ready to pursue practical courses of action and to adopt reasonable positions in order to facilitate that transformation from overwhelming majority to unanimity. In our opinion, the onus now is on those who stand outside the majority to demonstrate the necessary willingness and readiness, beginning with the necessary seriousness that is a sine qua non for dealing successfully with the problem.

Prior to the Council's adoption of resolution 672 (1990), we stated here that we did not expect Israel to comply with the minimal provisions that resolution contained, and that that would ultimately mean that the Council would be obliged to discuss the matter once again. That has proved true. We have made many other statements, some of which reflected the position we took and which called for the formation of the mission directly by the Security Council. Events have proved that that too was right.

We do not say this merely to score points. We say it so that we may draw useful lessons and necessary conclusions. The first conclusion we must draw from the present situation is that Israel is in flagrant violation of the provisions of the United Nations Charter. It has rejected and continues to reject every Security Council resolution relating to the situation in the occupied territories and the question of Palestine, such as those relating to the status of Al-Quds, the illegal settlements, the deportations and the applicability of the Fourth Geneva Convention, etc. In so doing, Israel has demonstrated for all to see its desire to swallow up the occupied territories. This intention is, in fact, the cornerstone of Israeli policy.

(Mr. Al-Kidwa, Palestine)

I would refer here to the only salient sentence in the Israeli representative's statement, in his evaluation of resolution 242 (1967), and the absence therein of the definite article. This is a matter that, I believe, directly and particularly concerns you.

Israel will not change its position or its rejection of the Council's resolutions until it is made to understand clearly that the international community represented here in the Council totally and completely rejects its position and insists on enforcing its resolutions and imposing them on Israel.

(Mr. Al-Kidwa, Palestine)

Only such a stand by the Security Council would compel the Israeli leaders to reconsider their racist expansionist policies.

On the basis of such an understanding we welcome the draft resolution that is before the Council today. It will be the Security Council's first step towards demonstrating the seriousness of its intent to deal with the rebellion by Israel. We hope that it will send a clear signal that the Council intends to use the available mechanisms to enforce its resolutions and to make them legally binding. More specifically, we speak of applying the provisions of Chapter VII of the Charter.

Our second conclusion is that, so far as the substance is concerned, the Council should not shirk its responsibilities by laying them at the door of any other party, albeit the Secretary-General of the United Nations. That simply would not be a solution. In such a situation the Council would be asking the Secretary-General personally, either to face up to the rebellious insurgency of Israel, instead of the Council or to bargain with Israel, which would be contrary to the position of the Council and the behests of international legitimacy. Obviously, that is something the Secretary-General cannot do.

We reiterate here our full confidence in the Secretary-General, Mr. Javier Perez de Cuellar, and we reiterate what we have told him officially and formally - that in this regard we are ready to co-operate fully with him and with the mission, even though, as we have said already, we are not fully satisfied with resolution 672 (1990) on the grounds that it is inadequate.

The third conclusion is that when the Security Council considers, in about a week from now, the report containing the Secretary-General's recommendations and conclusions as to the best ways and means of protecting the Palestinian people under Israeli occupation - the Council will have to deal with the question of protecting the Palestinian people in real earnest and not through any routine

(Mr. Al-Kidwa, Palestine)

affirmation regarding the applicability of the Fourth Geneva Convention to the occupied territories, including Al-Quds. The Security Council will have to adopt concrete measures that will be capable of forcing the occupation authority to abide by the provisions of the Convention and the Security Council's resolution. The Council must prove that it is true to its position, which is that all these Territories are under occupation.

We need tangible, physical measures - for instance, a peace force deployed in the occupied Territories to observe the situation and to submit the necessary reports to the Council and to the Secretary-General. Without such measures and such concrete action any talk of providing protection would, frankly, be an exercise in futility, and would not indicate any determination on the part of the Council to put an end to the occupation authority's atrocious actions against my people.

I must express our sincere thanks to the delegations of Colombia, Cuba, Malaysia and Yemen for submitting the draft resolution contained in document S/21893 and for their persistent and principled support for the cause of justice and for our people. It is my duty also to thank the other non-aligned States members of this Council for their support. We are fully confident that in the future they will continue their solidarity with our people in its struggle. In this connection, another matter of great importance to us is support for Africa. We stand by Africa, and Africa stands by us.

I have, indeed, to thank all the members of the Security Council. I do so on behalf of our people, which is continuing its glorious intifadah to expel the occupation forces and to re-establish its right to self-determination and its right to exercise sovereignty in its own State, whose capital is the Arab Quds. In thanking the whole Council, I should like to express our hope that the draft resolution that is before it will be adopted unanimously.

(Mr. Al-Kidwa, Palestine)

In conclusion, I congratulate all members of the Council and the Secretary-General on the United Nations Day, which we hope will be a new milestone of accomplishment on the road to peace and prosperity in this world.

The PRESIDENT: On behalf of the Secretary-General and on my own behalf, I thank the representative of Palestine for his remarks about United Nations Day, which may, indeed, find the Council united.

The next speaker is the representative of Sudan. I invite him to take a place at the Council table and to make his statement.

Mr. ALI (Sudan) (interpretation from Arabic): Allow me at the outset, Mr. President, to extend to you the congratulations of my delegation on your assumption of the presidency of the Council for this month. We are confident that, with your skill and experience, you will lead the Council, during the remaining part of your period in office, in a manner that will ensure success for the Council in the discharge of the tasks entrusted to it, and that in these critical circumstances it will achieve the desired results.

I take this opportunity also to express our thanks to your predecessor, Ambassador Vorontsov, the permanent representative of the Soviet Union, for the excellent way in which he conducted the work of the Council last month.

(Mr. Ali, Sudan)

My Government has condemned Israel most strongly on its massacre of Palestinians in the Al-Aqsa Mosque on 8 October this year. I wish to repeat here Sudan's condemnation and its disgust at the continued racist brutal Israeli practices against the inhabitants of the occupied Palestinian and Arab territories, in complete defiance of, and utter disregard for, all the norms of international law.

The massacre perpetrated by Israel in Al Haram Al-Sharif and Israel's continued acts of repression and oppression in Jerusalem, a holy city which is venerated by the followers of three religions; Islam, Christianity and Judaism; reaffirms Israel's disregard for Jerusalem's sacred nature.

We listened with wonder a few minutes ago to the futile attempts by Israel's representative to justify Israel's crimes. It is astonishing to be told that live ammunition was fired on unarmed people in self-defence. Can anyone really believe the claim that regular armed troops would open fire in self-defence on boys carrying only sticks and stones?

The allegation that the massacre was the result of an attempt to distract attention from the dispute in the Gulf is not worthy of comment. We also wonder what relation there is between the assassination of Dani Chamoun and the issue under consideration today. Does the Israeli representative want us to believe that the perpetration of crimes anywhere in the world should be justification for Israel's committing more crimes against the Palestinian people?

There are well-known and established principles of justice and right and norms of international law, that must be kept in sight in dealing with the Israeli-Arab conflict. At the heart of the conflict is the question of Palestine. Previous speakers have spared me the need to deal with all those principles and norms. However, there are certain principles that we must reiterate again and again, and I

(Mr. Ali, Sudan)

should like briefly to state some of them from the point of view of the people and Government of Sudan.

First, the city of Jerusalem, Al-Quds, is an integral part of the occupied Palestinian territories and still is the capital of the State of Palestine. Here we recall resolutions 476 (1980) and 478 (1980), declaring null and void the "basic law" of Israel designating Jerusalem as the capital of Israel.

Secondly, the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949, applies to the Arab territories occupied by Israel since 1967, including Al-Quds.

Thirdly, Sudan urges the international community and the United Nations, represented in this Council, to support the Palestinian people in regaining its inalienable national rights, including its right to return to its homeland, its right to self-determination and its right to establish its independent State on its land, under the leadership of its sole legitimate representative, the Palestine Liberation Organization (PLO).

Fourthly, the Middle East region will never know peace until Israel has withdrawn from all of the occupied Palestinian and Arab territories, including Holy Al-Quds, and until a comprehensive, just and lasting solution to the Palestinian question is reached. That question is at the heart of the Arab-Israeli conflict, and unless it is solved through the convening of an international peace conference on the Middle East, under United Nations auspices, with the participation of all the parties to the conflict, including the PLO, there will be no peace in the region.

Fifthly, Sudan expects the Council to discharge its responsibilities in dealing with international issues according to one criterion based on international legitimacy and the United Nations Charter - in order to strengthen

(Mr. Ali, Sudan)

the principles of the United Nations and reinforce its credibility, which has gained momentum recently owing to détente and international co-operation.

In the light of the recent development, namely Israel's defiance of resolution 672 (1990), of 12 October, and its refusal to accept the Secretary-General's mission of inquiry provided for by that resolution, the Council must today measure up to what is expected of it and impose sanctions on Israel in conformity with the provisions of Chapter VII of the Charter.

The eyes of the whole world are now on the Council and the world waits to see the result of these meetings and the protracted official and unofficial consultations. We hope that all will live up to the responsibilities entrusted to the Council for the maintenance of international peace and security.

The PRESIDENT: I thank the representative of Sudan for his kind words addressed to the presidency.

The representative of the Syrian Arab Republic has asked to speak. I invite him to take a place at the Council table and to make his statement.

Mr. EL-FATTAL (Syrian Arab Republic) (interpretation from Arabic): In his statement a few moments ago the representative of Israel tried to divert the Council's attention from the horrible crime committed by Israeli occupying forces in the Holy Places of Al-Quds. We had the impression as we listened to his long statement that, more than anything else, it was a kind of comedy aimed at the Security Council. He would like simply to do away with the very fair resolutions that have emerged from the Council regarding Israel's conduct in the Holy Places. His aim was to attenuate the Council's unanimous, explicit condemnation. He invoked totally unfounded rumours in an attempt to respond to that condemnation. Indeed, the rumours he referred to have been propagated by circles whose inimical intentions towards Lebanon and Syria are well-known. These ill-intentioned rumours originated with Israeli agents who were trying to hide what Israel is doing in the occupied territories.

Has the Israeli representative forgotten the series of massacres that started with Deir Yasin and Kafr Qassem? Those massacres have never stopped.

The present Israeli Prime Minister was the head of the Stern Gang, which plotted the assassination of Count Bernadotte, who had been sent to Palestine by the United Nations as mediator to solve the Palestine problem. Was he called to account for that deed? Did the Security Council take the necessary measures to call Israel to account for that crime? Israel did not permit the assassin to come here to be judged. We have proof of the part that Shamir played in the preparation of that crime, the assassination of Count Bernadotte.

We could spend night after night in the Security Council reciting the tales of Israel's criminal acts. We have all the necessary files, but I do not have them here with me now.

(Mr. El-Fattal, Syrian Arab Republic)

If we strictly apply the provisions of the Fourth Geneva Convention, Israel's actions fall within the purview of international criminal law. Under articles 146 and 147 of the Fourth Geneva Convention, the Israeli leaders who order or carry out these actions must be prosecuted and brought to justice, anywhere in the world. The international community cannot forgive Israel's war crimes under the Fourth Geneva Convention. Indeed, the Council has invoked that Convention in each of its decisions, because Israel is not complying with the Convention's provisions.

We trust the day will come when the Council will use the proper name to describe these crimes - namely, war crimes like those committed by the Nazis who were brought to trial.

If we really want to help Lebanon, Israel must immediately and unconditionally withdraw from South Lebanon, in accordance with the numerous United Nations resolutions so that Lebanon can regain its sovereignty.

These accusations against Syria by the representative of Israel are indeed paradoxical. It is Syria that is doing its best to restore Lebanese legitimacy. It is Syria that in a brotherly spirit and in an open way came to Lebanon to put down a rebellion whose victims have been more than 2,000 Lebanese civilians. Israel tried to accuse our heroic soldiers, who have been supporting Lebanon's legitimacy of violating the sanctity of religious places and taking action against men of the cloth. I would only say that Syria respects all religions in Lebanon - principally the Christian and Maronite religions. We have tried to put an end to this bloodshed between the Lebanese, whatever their religion. And we have succeeded in ending the civil war in Lebanon. Syria lost many soldiers in this effort to restore peace and unity to Lebanon and to overcome attempts to divide and partition Lebanon. I think that this is what upsets the representative of Israel. He is also upset by the international unanimity on accepting the Taif agreement

(Mr. El-Fattal, Syrian Arab Republic)

and the beginning of the implementation of that agreement. I think he is particularly upset that the legitimate Lebanese authorities under President Hrawi are now in control over the Lebanese soil.

What Israel fears is the stage when the Lebanese authorities will be able to drive the occupiers out of southern Lebanon with every possible means.

The PRESIDENT: It is my understanding that the Security Council is ready to vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. AL-ASHTAL (Yemen) (interpretation from Arabic): It should have been unnecessary to convene this meeting of the Security Council today. No draft resolution should have been needed. We were expecting - indeed, we were eager - to receive the Secretary-General's report that was supposed to be submitted to us tomorrow.

But the Council has had to convene this meeting because Israel has categorically and explicitly rejected its resolution 672 (1990) and because Israel has publicly and categorically refused to receive the Secretary-General's mission or to allow the United Nations to exercise any activity in the city of Al-Quds.

In paragraph 3 of his letter, the Israeli representative says that there is no part of Al-Quds that is occupied territory; that Al-Quds is the sovereign capital of the State of Israel; and that, consequently, any intervention by the United Nations in any matter related to Al-Quds is unacceptable, and so on and so forth.

(Mr. Al-Ashtal, Yemen)

Israel rejected Security Council resolution 672 (1990) despite the fact that it, to a certain degree, took account of Israel's sensitivities vis-à-vis the Security Council. Resolution 672 (1990) did not call for the establishment of a Security Council mission to investigate the incident in Al-Quds, because Israel refuses to deal with the Security Council. In resolution 672 (1990) the Security Council did not dare even to make a direct request to the Secretary-General to send a mission to Al-Quds, because Israel refuses to have anything to do with Security Council resolutions, which are legally binding.

(Mr. Al-Ashtal, Yemen)

The Security Council resolution discreetly welcomed the Secretary-General's decision to send a mission to Israel, and with some courage it called upon him to submit a report and recommendations as a result of the visit. Even so, Israel rejected the resolution and the mission.

That is why we are meeting here today to adopt yet another resolution urging Israel to receive the mission of the Secretary-General and again request the Secretary-General to submit his report on the Al-Quds incident and his recommendations and conclusions in accordance with the statement that you, Mr. President, have read out.

We await the report of the Secretary-General. We do hope that this time we shall receive the report before the end of the month, as called for in the draft resolution.

The Israeli representative and Government have repeatedly accused us of trying to link the Gulf crisis with the question of Palestine and the situation in the Middle East. The truth is that we are merely trying to establish a link between the Security Council and Israel. Israel's refusal to deal with the Security Council and to implement its resolutions is the crux of the problem.

Now, when the Security Council has begun to adopt its resolutions unanimously, it is necessary for Israel to reconsider the way in which it deals with Security Council resolutions. For our part, on the one hand, we expect the Council not to establish a link between the Gulf crisis and the question of Palestine but to attempt to compel Israel to co-operate with the Council; on the other, we expect the Security Council to adopt coherent, uniform positions vis-à-vis all those who refuse to comply with its resolutions.

The Israeli representative has attempted to portray Israel as an innocent State. I would ask the Council how it will handle its resolution that considers the annexation of Al-Quds null and void, and illegal. Though long years have

(Mr. Al-Ashtal, Yemen)

passed since the adoption of that resolution, in utter defiance of the international community Israel still considers Al-Quds and the Golan to be parts of Israeli territory.

Is it not our right in the Council to demand that Israel respect that Security Council resolution, which plainly considers that annexation to be illegal, null and void? Is it not our right, if Israel refuses our demand, to adopt additional measures to compel Israel to abide by that resolution? Why can we not mention Chapter VII when it comes to dealing with the way in which Israel deals with Security Council resolutions?

Israel is not innocent, as it has been pictured by its representative.

What about withdrawal from the occupied Arab territories, which the Israeli representative calls Judea and Samaria, both being Jewish names? Is it not the Security Council's right to insist on Israel's withdrawal from the occupied Arab territories?

As I have said, we await the Secretary-General's report which will not only cover the incident at Al-Quds but will contain also specific recommendations on how to protect the Palestinians in the occupied territories. This is not an end in itself. I must here and now publicly state that we expect the Security Council to begin examining the situation in the Middle East and the Palestinian question and reopen that file - sooner or later.

There are no peaceful initiatives on the table right now. There is no peace process. That is over and done with. There is no more contact between Washington and the Palestinians, no more European initiatives, no initiatives by the non-aligned countries. There is a coalition in the Security Council, and its five permanent members are tackling all the issues, as well as dealing with all the volatile issues of the world. Is it not then our right to expect of the Security Council a serious consideration of this matter?

(Mr. Al-Ashtal, Yemen)

The report to be submitted by the Secretary-General will be only one step on the one-thousand-mile road.

Mr. BAGBENI ADEITO NZENGEYA (Zaire) (interpretation from French): Article 24 (1) of the Charter clearly states that:

> "In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf."

The logical consequence of this responsibility that the Member States have conferred upon the Security Council can be seen in Article 25 of the Charter, which commits all Members of this Organization to accepting and carrying out the decisions of the Security Council in accordance with the Charter. Hence my delegation deeply deplores the negative attitude taken by a Member of our Organization, in this case the State of Israel, which, implicated in the massacre of 21 Palestinians, has refused to accept a mission from the Secretary-General to look into that massacre and draw up recommendations for the Security Council to protect the rights and fundamental freedoms of Palestinians. This is certainly conduct that calls into question the Council's credibility and is both an obstacle and an obstruction to the Council's due exercise of its functions of maintaining and ensuring international peace and security.

The massacre of 21 Palestinians was condemned by the international community as a whole as an act for which the Israeli authorities alone are responsible because of their use of their armed forces against Palestinian civilians who are supposed to be protected by those authorities in the occupied territories. Whatever hatred and animosity may exist in the relationship between the Jewish and Palestinian communities in the occupied Arab territories, the Security Council has

(Mr. Bagbeni Adeito Nzengeya, Zaire)

always called upon the State of Israel to comply with the Geneva Convention relevant to the Protection of Civilian Persons in Time of War, of 1949, and in particular articles 47 and 49 of same, and to refrain from deporting any Palestinian civilians from the occupied territories. It did so in its resolution 607 (1988) of 5 January 1988, which was adopted unanimously by the members of the Council.

Resolution 608 (1988) reaffirmed resolution 607 (1988), and called upon Israel to rescind the order to deport Palestinian civilians and to ensure the safe and immediate return to the occupied Palestinian territories of those already deported.

(Mr. Bagbeni Adeito Nzengeya, Zaire)

It is thus clear that the Council has never shirked its responsibilities regarding Palestinian civilians, who in some cases are expelled and in others massacred on their own territories. It was to put an end to those excesses and restore the most legitimate rights of the Palestinian people that the Council adopted resolution 672 (1990), for, like any other people, that people, which is enduring unspeakable suffering, aspires to peace, security and respect for its rights and fundamental freedoms.

It was because it wanted to guarantee those freedoms, which have been violated, that the Security Council called on the State of Israel to accept a mission of inquiry that would determine ways and means and make recommendations with a view to ensuring the protection and security of Palestinians in their own territories.

Faced here with a question of principle in terms of the spirit and the provisions of the Charter, my delegation strongly supports the present initiative, which has emerged from consultations among members of the Council leading to the proposal submitted to the Council for decision.

Zaire will vote in favour of the proposal and appeals to the State of Israel, as occupying Power, not to continue to flout the most elementary rights of the Palestinian people, and to accept the United Nations mission. Article 3 of the Universal Declaration of Human Rights states unequivocally that "Everyone has the right to life, liberty and the security of person", while Article 5 states that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment", for, as Article 1 of the Declaration states, "All human beings are born free and equal in dignity and rights". (General Assembly resolution 217 (III)).

(Mr. Bagbeni Adeito Nzengeya, Zaire)

Let me conclude, Sir, by saying how pleased my delegation is to see you in the Chair, and by expressing our deep appreciation of your tireless efforts to maintain an atmosphere of calm, understanding and cohesion within the Council.

The PRESIDENT: I thank the representative of Zaire for the kind words he addressed to me.

Mr. RAZALI (Malaysia): The draft resolution on which the Council is about to vote would not be necessary but for Israel's rejection of resolution 672 (1990) and its refusal to receive the mission of the Secretary-General. The several days' delay in considering this draft resolution would not have been necessary if time had not been wasted in arguing whether to adopt a resolution or make a statement, when clearly the indefensible defiance of Israel could be answered only by a resolution. Perhaps that waste of time will prove to be a blessing if all members now understand how committed the Council has to be on the question of Palestine. This should help the future work of the Council.

Israel has chosen to ignore resolution 672 (1990), as if Israel were above the law and not accountable to the Security Council. No one in the Security Council should try to make light of Israel's defiance. Members of the Council and all those present today have just been treated to a strong overdose of this in the Acting Permanent Representative of Israel's speech.

Our draft resolution today throws the onus back upon Israel, underlining firmly Israel's obligations and the Council's insistence that all aspects of resolution 672 (1990) be fully complied with. The Council insists that Israel permit the mission of the Secretary-General to proceed. The message is clear. The Council is determined that the issue of Palestine and the occupied territories be fully addressed, with the same commitment and standards applied to other issues.

(Mr. Razali, Malaysia)

The Council cannot continue to be in a captive situation in which every consideration related to Israel and the protection of the Palestinians fails to receive its fully focused attention. So long as Israel feels it can be helped by delays and obfuscation it will not take stock and heed the Council.

Malaysia also wishes to point out that it is unacceptable that the unanimity of the Council should be made an issue to the extent that it becomes an obstacle to the Council's correct action. Malaysia is convinced that the position that the Council is taking regarding Palestine and the occupied territories enjoys the full support of the overwhelming majority of the States Members of the United Nations. This is the true meaning of international consensus. In this regard, there should no longer be room in the Council for actions that stand in the way of such consensus. The Council must remember the years of neglect on this issue. Our action now and for the future must be to redress the sins of omission and commission on Palestine.

If Israel is bent on pursuing the dangerous course of closing all doors on the Palestinian people, establishing so-called order by the brutal use of force and responding with guns and blows, it is the responsibility of the Council to address the problem of the safety and protection of the Palestinians in the occupied territories, who should be treated with the respect they deserve. The responsibility lies entirely with the Council.

That is why Malaysia and three other non-aligned members of the Council are taking this initiative now. We look forward to the unanimous support of the Council.

Mr. PEÑALOSA (Colombia) (interpretation from Spanish): My delegation wishes, on United Nations Day, to pay a tribute to the Organization, which has brought such great benefits to mankind and from which we expect so many achievements in the future.

We wish also to express our thanks and admiration to the Secretary-General, Mr. Javier Perez de Cuellar, and to all his selfless and dedicated associates, from the most important to the apparently less important.

Once again the Security Council is meeting to consider the situation in the Palestinian territories occupied by Israel. More than a week has passed since the adoption of resolution 672 (1990). Unfortunately, its provisions have not been heeded by Israel, which has adopted a position in defiance of the unanimous, clearly expressed will of the Council, violating the spirit of Article 25 of the Charter, which establishes the compulsory nature of Security Council decisions for Members of the United Nations. Compliance with Council decisions is the cornerstone on which the maintenance of international peace and security rests.

My delegation cannot conceive of the existence of the Security Council without respect for and compliance with the decisions it adopts, or if its resolutions are to be heeded by some and disregarded by others. This would create a dual morality which could not be accepted or condoned.

Colombia reiterates its condemnation of the acts of violence committed by the Israeli authorities and their refusal to co-operate with the Secretary-General. We reject Israel's defiance of the Security Council and its conduct, which violates an elementary principle of international law - the fulfilment in good faith of obligations assumed by States in accordance with the United Nations Charter.

(Mr. Peñalosa, Colombia)

My delegation urges the Government of Israel to reconsider its position and abide by resolution 672 (1990).

Colombia is a sponsor of the draft resolution before the Security Council this evening, and we hope that it will enjoy the unanimous support of the members of the Council.

Mr. ALARCON de QUESADA (Cuba) (interpretation from Spanish): In one of his most famous novels Charles Dickens referred to the anguish of one of his characters who was trying to recall the exact location of a given place, an old shop, and he explained how, with the passage of time, it grew more and more difficult to locate that particular place. The great English writer said that the same thing happened with words: the wind carried them away.

Unfortunately, the Security Council is meeting just a few days after the adoption of resolution 672 (1990). We all recall the importance of the statement which you, Mr. President, read out to us on behalf of the members of the Council during the process of the adoption of that resolution. I shall not read it out again. The Council now has before it another draft resolution which takes into account that important statement. There is just one phrase from it of which I wish to make mention. You referred to the statement of the Secretary-General in connection with the mission to be sent to the region and the fact that he would be preparing a report, which, as was stated at that formal meeting of the Council on 12 October, would be presented not later than "24 October 1990".

Today is 24 October, United Nations Day, and the Security Council at last is meeting to consider the situation created because of non-compliance with resolution 672 (1990). My delegation trusts that this body will be in a position to adopt the draft resolution which it has been our honour to submit in co-sponsorship with Colombia, Malaysia and Yemen. If the Council adopts the draft resolution, it must be clearly understood that the report of the Secretary-General does not necessarily have to be submitted on 24 October as there are very few hours left of this historic day. As resolution 672 (1990) itself states, and as we reaffirm with today's draft resolution, it would be before this month is over. This happened not very long ago, so members will still recall what was involved and the date by

(Mr. Alarcon de Quesada, Cuba)

which the Security Council should receive the Secretary-General's report. That occurred at the most recent meeting held by the Council in this Chamber.

At that time the representative of Israel, sitting near where I am seated now, read out an official declaration from his Minister for Foreign Affairs which deplored the resolution that had just been adopted by the Council.

We know that starting from the time resolution 672 (1990) was adopted the Secretary-General, with his customary dedication to the fulfilment of his obligations, and with the diligence he has manifested throughout his worthy tenure as Secretary-General, set about taking the necessary steps to send the mission to the region. We also know that the Secretary-General took care to keep the members of the Council informed on the situation prevailing in this regard.

The members of the Council met informally on 19 October, and we got a clear explanation from the Secretary-General as to why it was not possible to proceed with the implementation of the resolution. From then on four members of the Council, including my delegation, started to work to ensure that the Council could proceed with the diligence, speed and rigour that in our opinion the situation required.

The Council, unfortunately, was unable to act until the very last conceivable moment, the moment when there were just a few hours left until the end of 24 October. Throughout these days we have gained new and broader experience in the practices of the Security Council. In our consultations we had to debate the question of the merit of unanimity and the need for us to concur in a unanimous position. We also debated at great length on the best way to react to this situation. In the opinion of our delegation the Security Council could do nothing but what we propose that it do shortly in light of the fact that its earlier

(Mr. Alarcon de Quesada, Cuba)

resolution has not been complied with. We hope that this draft resolution will enjoy the same unanimity given to resolution 672 (1990). That is the only way in which the Security Council can react if it is to live up to its responsibilities.

The members of the Council also have an obligation to fulfil the terms of the Charter. It is our special responsibility to make sure that all of the Charter's provisions are upheld by those who do not belong to the Council. In our opinion we have to recall the point made by the representative of Zaire very appropriately a moment ago about Article 24 of the Charter, which defines the powers and functions of the Council. In that connection we must occasionally recall that it was not the Security Council that created the United Nations but the Council that was created by the United Nations. The Council has special powers because they were conferred on it by the rest of the Organization. Those powers were conferred on the Council so that it could act promptly and effectively, and certainly not so that it could paralyse the action needed from the international community. If the Security Council acts on behalf of the other members it means that the non-permanent members of the Council - or, if one prefers to call them that, the elected members of the Council - enjoy a certain moral authority. We are not mere transients here who do our best for a couple of years to contribute to the work of the Council. Rather, we are the bond between the Council and the entire body of the membership of the United Nations which, in the last analysis, is the body that has conferred upon this group of States in the Council, the members of the Council, certain special responsibilities.

We must recall that the permanent members of the Council, so far as we have been able to determine from the Charter, have only one special prerogative, and that comes at the time of a vote. Even so, the Charter was careful to specify that that special authority shall not prevail in all circumstances. It does not prevail

(Mr. Alarcon de Quesada, Cuba)

on procedural issues, nor when a permanent member is a party to a dispute. If a permanent member considers that a question the Council is about to take up is particularly important and close to it, its prerogatives cannot be interpreted as meaning that it could block the effective action required of the Council under Article 24.

(Mr. Alarcon de Quesada, Cuba)

If a member of the Council has such an intimate connection with a particular issue, that would come closest to the definition of "a party to a dispute", and in that case it would have neither the special power of the veto nor, strictly speaking, the right to take part in the vote. As Article 27, paragraph 3, states, it should abstain from voting.

This is a historic occasion, because, on the date when we thought we should have a report before us, we are instead finally able to take a decision on an anomalous situation which has prevented the Council from obtaining such a report at the present time. We are doing this precisely on the date marking the anniversary of the Organization. On this occasion, my delegation wishes not only to associate itself with the tributes paid by other members to the Secretary-General for his noble work at the head of the Organization, but also to place it on record that the best tribute that the Council could pay to a historic date like this would be to demonstrate a true and effective common will to act promptly and efficiently in response to each and every one of the major problems that come before it. Only in that way could we truly feel satisfied with the actions of the Council.

For that reason my delegation wishes to place on record its pleasure at being able to associate itself with the other three sponsors in presenting a draft resolution which at the very least would once again place us in a position where we could prepare for a discussion in the not-too-distant future. We hope that, as requested, the report will be presented by the end of October and that the Council will then take up the matter again, not on the basis of an arbitrary and narrow notion of unanimity among us but, above all, on the basis of what should be a cardinal criterion for all members of the Council - that is, the need for us to act on behalf of all the Members of the Organization, to act on behalf of an

(Mr. Alarcon de Quesada, Cuba)

organization which for decades has urged the Security Council to act effectively and in a manner consistent with the rights and aspirations of the Palestinian people.

The PRESIDENT: I shall now put to the vote the draft resolution contained in document S/21893.

A vote was taken by show of hands.

In favour: Canada, China, Colombia, Côte d'Ivoire, Cuba, Ethiopia, Finland, France, Malaysia, Romania, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Zaire

The PRESIDENT: There were 15 votes in favour. The draft resolution has therefore been adopted unanimously, as resolution 673 (1990).

There are no further names on the list of speakers.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting rose at 7.45 p.m.